

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

PUBLIC SERVICES – Panchayat Raj and Rural Development Department – Sri M.V. Mallikarjuna Rao, Deputy Executive Engineer, PR Sub-Division, Guntur and presently working as Deputy Executive Engineer (PR), Projects Sub-Division, Nallapadu, Guntur District – Departmental proceedings under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 – Article of charges – Issued.

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PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.IA) DEPARTMENT

G.O.Rt.No. 363

Dated:15-03-2011.

ORDER:-

It is proposed to hold an enquiry against Sri M.V. Mallikarjuna Rao, Deputy Executive Engineer, PR Sub-Division, Guntur and presently working as Deputy Executive Engineer (PR), Projects Sub-Division, Nallapadu, Guntur District in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A list of documents by which and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure-II and III).

3. Sri M.V. Mallikarjuna Rao, Deputy Executive Engineer, PR Sub-Division, Guntur and presently working as Deputy Executive Engineer (PR), Projects Sub-Division, Nallapadu, Guntur District is directed to submit within (10) days of the receipt of this order, a written statement of defence.

4. Sri M.V. Mallikarjuna Rao, Deputy Executive Engineer, PR Sub-Division, Guntur and presently working as Deputy Executive Engineer (PR), Projects Sub-Division, Nallapadu, Guntur District is informed that an enquiry will be held only in respect of those articles of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri M.V. Mallikarjuna Rao, Deputy Executive Engineer, PR Sub-Division, Guntur and presently working as Deputy Executive Engineer (PR), Projects Sub-Division, Nallapadu, Guntur District is further informed that if he does not submit his written statement of defence on or before the period specified in Para 3 above or otherwise fails or refuses to comply with the provisions of rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the orders/directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex parte.

6. Sri M.V. Mallikarjuna Rao, Deputy Executive Engineer, PR Sub-Division, Guntur and presently working as Deputy Executive Engineer (PR), Projects Sub-Division, Nallapadu, Guntur District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule. 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of the G.O. be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DR. RAJIV SHARMA  
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri M.V. Mallikarjuna Rao, Deputy Executive Engineer, PR Sub-Division, Guntur and presently working as Deputy Executive Engineer (PR), Projects Sub-Division, Nallapadu, Guntur District, through the Engineer-in-Chief (Panchayat Raj) Hyderabad.

The Engineer-in-Chief (Panchayat Raj) Hyderabad (in duplicate with a request to serve and return the dated acknowledge copy).

Copy to:

The General Administration (V&E) Department, BRKR Buildings, Hyderabad.

The PR&RD (Estt.III) Department.

SF/SC.

//FORWARDED BY ORDER//

SECTION OFFICER

### **Annexure-I**

**STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SRI M.V. MALLIKARJUNA RAO, FORMER DEPUTY EXECUTIVE ENGINEER, PR SUB-DIVISION-1, GUNTUR AND PRESENTLY DEPUTY EXECUTIVE ENGINEER, PR PROJECTS SUB-DIVISION, NALLAPADU, GUNTUR**

#### **Charge:-**

The said, Sri M.V. Mallikarjuna Rao, Deputy Executive Engineer, PR Sub-Division, Guntur and presently working as Deputy Executive Engineer (PR), Projects Sub-Division, Nallapadu, Guntur District, while working as Deputy Executive Engineer, PR Sub-Division, Guntur, has failed to obtain and submit Design mix for M30 grade concrete to competent authority for approval, has allowed the execution of substandard quality of concrete, checkmeasured the same and recommended for payment in respect of execution of the work of providing BT to the Road from Medikonduru to Varagani (via) Velevarthipadu, Saripudu, Siripuram in Medikonduru Mandal of Guntur Dist., thereby misused his official position and failed to discharge his legitimate duties properly and committed irregularities.

#### **Basis:-**

Vide GO.Ms.No. 555, Dt.28.04.2006 of PR & RD (Prog.III) Department, administration sanction was accorded for Rs. 135.20 lakhs under PMGSY Phase V for the work providing BT to the road from Medekonduru to vanagal (via) velevarthipadu, saripudu, siripuram in medikonduru mandal of Guntur Dist. The V&E officials have inspected the work and observed certain irregularities as follows:-

1. The bitumen extraction tests conducted on samples of OGPC + Seal coat shows that there is a shortfall in bitumen content and an amount of Rs.61,747/- is to be recovered from the bills of the contractor towards shortfall.
2. In the approved data of sanctioned estimate of M30 grade concrete, the quantity of cement was mentioned as 310 Kgs per cum whereas the actual quantity considered is 350 Kgs per cum and the field officers have informed that they have used 310 Kgs only without obtaining the design mix.
3. Test results conducted on C.C. cores obtained from the hardened concrete C.C. pavement have revealed that the average as well as individual strengths are not satisfying the relevant standards for M 30 grade concrete. Hence the cement concrete pavement from KM 0.00 to 0.432, KM 2.204 to KM 2.500 and from KM 4.00 to KM 4.100 is to be rejected and relaid. The rejected value of the work is Rs.22,49,524/-.

As per the observations of V&E the Charged Officer has failed to obtain and submit design mix for M30 grade concrete to competent authorities for approval, allowed the execution of substandard quality of concrete, checkmeasured the same and recommended for payment.

Though in the sanctioned estimate date, cement content of 310 Kgs per cum was given in the words, the actual quantity considered is 350 Kgs per cum which was ignored by Sri M. Sai Babu, Assistant Executive Engineer. The design mix for M 30 grade mix was also not obtained and got approved by the competent authority before commencement of work. If he had gone for the design mix, he would have got the correct cement content required for M 30 grade concrete. Even though there is a variation in data ultimately strength for M 30 grade concrete is to be achieved as given in the agreement specification. This action of him in not obtaining the design mix has resulted in usage of less cement and thereby lesser strength of concrete for which he is responsible.

Hence the charge.

DR. RAJIV SHARMA  
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED BY ORDER//

SECTION OFFICER

### **ANNEXURE-II**

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGES FRAMED AGAINST SRI M.V. MALLIKARJUNA RAO, FORMER DEPUTY EXECUTIVE ENGINEER, PR SUB-DIVISION-1, GUNTUR AND PRESENTLY DEPUTY EXECUTIVE ENGINEER, PR PROJECTS SUB-DIVISION, NALLAPADU, GUNTUR ARE PROPOSED TO BE SUSTAINED.

Vigilance Report No. 82 (1449/V&E/E2/2007-1) Dt.19.07.2010 of General Administration (V&E) Department.

DR. RAJIV SHARMA  
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED BY ORDER//

SECTION OFFICER

### **ANNEXURE-III**

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGES FRAMED AGAINST SRI M.V. MALLIKARJUNA RAO, FORMER DEPUTY EXECUTIVE ENGINEER, PR SUB-DIVISION-1, GUNTUR AND PRESENTLY DEPUTY EXECUTIVE ENGINEER, PR PROJECTS SUB-DIVISION, NALLAPADU, GUNTUR ARE PROPOSED TO BE SUSTAINED.

Nil.

DR. RAJIV SHARMA  
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED BY ORDER//

SECTION OFFICER